

REMARKS

Claims 1-9 are pending in the present application. Claims 1-3 have been amended and claims 4-9 have been added. Claims 1 and 5 are independent. The specification has been amended. Reconsideration of this application, as amended, is respectfully requested.

Rejections Under 35 U.S.C. §§ 102 and 103

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Tomoki, JP 06-006989. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomoki in view of Nonaka, USPN 5,267,796. These rejections are respectfully traversed.

The present invention is directed to a drive device of an ultrasonic linear motor in which a rail and a base body are driven movably relative to one another by a driving part interposed therebetween. Independent claim 1 recites a combination of elements including the recitation “wherein each of the pair of right and left ultrasonic vibrators is comprised of a piezoelectric device and a vibrating elastic member integrally affixed to the piezoelectric device, and each of the pair of right and left rollers is adapted to be turned by vibration of the respective vibrating elastic member.” Applicants respectfully submit that the references relied on by the Examiner fail to teach or suggest the present invention as recited in independent claim 1.

Referring to the Tomoki reference relied on by the Examiner, this reference is directed to an ultrasonic linear motor that includes an ultrasonic oscillator 10 that is used to drive a driven member 25. In the Examiner’s Office Action, the Examiner has considered the driven member 25 to be the rail of the presently claimed invention, but the Examiner has not identified which

element of FIG. 2 of Tomoki the Examiner considers to be the base body. In view of this, clarification is requested.

While not conceding to the appropriateness of the Examiner's rejection but merely to expedite prosecution of the present application, claim 1 has been amended to recite that the pair of right and left ultrasonic vibrators is comprised of a piezoelectric device and a vibrating elastic member integrally affixed to the piezoelectric device. In Tomoki, piezoelectric elements 12 are disclosed as being bonded partially to the resilient body 11. There is no indication in Tomoki that the piezoelectric elements 12 include a vibrating elastic member integrally affixed thereto as is now recited in independent claim 1 of the present invention. Further to this, claim 1 recites that the pair of right and left rollers is adapted to be turned by vibration of the respective vibrating elastic member. This aspect of the present invention is also not taught or suggested by Tomoki reference relied on by the Examiner. In view of this, Tomoki fails to anticipate independent claim 1 of the present invention.

With regard to the Examiner's reliance on the Nonaka reference, this reference also fails to disclose the ultrasonic vibrators as recited in independent claim 1 of the present invention and therefore fails to make up for the deficiencies of Tomoki.

With regard to dependent claims 2 and 3, Applicants respectfully submit that these claims are allowable due to their dependence upon allowable independent claim 1, as well as due to the additional recitations in these claims.

In view of the above amendments and remarks, Applicants respectfully submit that claims 1-3 clearly define the present invention over the references relied on by the Examiner.

Therefore, reconsideration and withdrawal of the Examiner's rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

Additional Claims

Additional claims 4-9 have been added for the Examiner's consideration. Applicants respectfully submit that these claims are allowable for the same reasons mentioned above with regard to independent claim 1.

Favorable consideration and allowance of additional claims 4-9 are respectfully requested.

Conclusion

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Paul C. Lewis, Registration No. 43,368 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 

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